

§ 1401.4

commerce. All products initially introduced into interstate commerce before the effective date may continue to be distributed and sold even though they do not bear the warning statement.

(d) *Manufacturer* means any person who manufactures or imports a consumer product. The term includes both a person who manufactures the product at the direction of another (such as a contract filler of aerosol products) and the person at whose direction the product is manufactured (such as the marketer of the brand).

(e) *Propellant* means a liquefied or compressed gas in a container, where a purpose of the liquefied or compressed gas is to expel material from the container. The material to be expelled may be the propellant itself and/or a material different from the propellant.

(f) The definitions given in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) shall, where applicable, apply to this part 1401.

§ 1401.4 [Reserved]

§ 1401.5 Providing performance and technical data to purchasers by labeling.

(a) Manufacturers of self-pressurized consumer products containing a chlorofluorocarbon propellant shall provide performance and technical data concerning such products that they import or initially introduce into interstate commerce after February 19, 1978, to prospective purchasers at the time of original purchase and to the first purchaser for purposes other than resale. The data shall consist of the following identification and warning statement: "WARNING—Contains a chlorofluorocarbon that may harm the public health and environment by reducing ozone in the upper atmosphere."

(b) The identification and warning statement required by paragraph (a) of this section shall be in addition to any other required labeling and shall be sufficiently prominent and conspicuous as to be likely to be read and understood by ordinary individuals under normal conditions of purchase. This identification and warning statement shall appear on the immediate container of the product and also on any outside container or wrapper in which

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the product is normally offered for sale at retail. The identification and warning statement may appear on a firmly affixed tag, tape, card, or sticker or similar overlabeled attached to the package.

[42 FR 42783, Aug. 24, 1977; 42 FR 46285, Sept. 15, 1977]

§ 1401.6 Effective date.

This part becomes effective February 20, 1978.

PART 1402—CB BASE STATION ANTENNAS, TV ANTENNAS, AND SUPPORTING STRUCTURES

Sec.

1402.1 Scope.

1402.2 Background.

1402.3 Definitions.

1402.4 Requirements to provide performance and technical data by labeling and instructions.

APPENDIX I TO PART 1402—RECOMMENDED OUTLINE FOR INSTRUCTION BOOKLET ON "HOW TO SAFELY INSTALL YOUR CB BASE STATION ANTENNA"

AUTHORITY: 15 U.S.C. 2051, 2076.

SOURCE: 43 FR 28392, June 29, 1978, unless otherwise noted.

§ 1402.1 Scope.

(a) This part 1402 requires manufacturers (including importers) of Citizens Band (CB) base station antennas, outdoor television (TV) antennas, and their supporting structures to provide notification of ways to avoid the hazard of electrocution which exists when these products are allowed to come near powerlines while the antennas are being put up or taken down. The notification must be provided to (1) prospective purchasers of such products at the time of original purchase and (2) the first purchaser of such products for purposes other than resale. The notification consists of instructions to accompany the products, warning labels on the products, and warning statements on the packaging or parts container. Samples of the instructions, labels, and warning statements must also be provided to the Consumer Product Safety Commission.